

Application No.: 10/759,746

17355CIP4 (BOT)

Fernandez-Salas, E., et al., Methods of Identifying Compounds that  
Alter Toxin Persistence and/or Protease Activity

**PATENT IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No.: 10/759,746  
Applicant: Fernandez-Salas, E., *et al.*  
Confirmation No.: 6885  
Filed: January 16, 2004  
  
Group Art Unit: 1649  
Examiner: Wang, C. Y.  
  
Docket No.: 17355CIP4 (BOT)  
Customer No.: 51957  
Patent Title: Methods of Identifying  
Compounds that Alter Toxin Persistence and/or  
Protease Activity

**FILED ELECTRONICALLY**

**NOTICE OF APPEAL**

June 29, 2007

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir,

This 2 page communication is a Notice of Appeal to a Final Office Action mailed March 29, 2007.

**Remarks** begin on page 2 of the Notice of Appeal.

## REMARKS

### Notice of Appeal

The Applicants hereby appeal to the Board of Patent Appeals and Interferences from the last decision of the Examiner dated March 27, 2007 rejecting Claims 3, 4, 46 and 47 as allegedly lacking written description under 35 U.S.C. § 112, ¶ 1 and Claims 1, 3-20, 22, 45-47, 56 and 57 as allegedly being obvious pursuant to 35 U.S.C. § 103(a).

## CONCLUSION

Should there be any questions, the Director is invited to call the undersigned agent.

Please use Deposit Account No. 01-0885 for the payment of the Notice of Appeal according to 37 C.F.R. § 41.20(b)(1) or any other required or necessary fees due in connection with the filing, processing or entering of this paper or any of the enclosed papers.

Respectfully submitted,

/Dean G. Stathakis/

Dean G. Stathakis, Ph.D.  
Registration No. 54,465  
Agent of Record



**ALLERGAN**

**LEGAL DEPARTMENT**

2525 Dupont Drive

Irvine, California 92612-1599

Tel: 714/246-6521

Fax: 714/246-4249